

COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 360 because it conflicts with SEA 190-2008 without properly recognizing the existence of SEA 190-2008, has had Engrossed Senate Bill 360 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed Senate Bill 360 be corrected as follows:

- 1 Page 2, between lines 32 and 33, begin a new paragraph and
- 2 insert:
- 3 "SECTION 5. IC 15-11-11-2, AS ADDED BY SEA
- 4 190-2008, SECTION 2, IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. As used in
- 6 this chapter, "fueling station" refers to tangible property (other
- 7 than a building and its structural components):
- 8 **(1) consisting of:**
- 9 ~~(1)~~ **(A)** a tank;
- 10 ~~(2)~~ **(B)** a pump; and
- 11 ~~(3)~~ **(C)** other components; **and**
- 12 **(2) that is used by either:**
- 13 **(A)** a person engaged in the business of selling motor
- 14 fuel at retail to enable motor fuel to be dispensed
- 15 directly into the fuel tank of a customer's motor vehicle;
- 16 **or**
- 17 **(B) a unit to enable motor fuel to be dispensed**
- 18 **directly into the fuel tank of a motor vehicle owned**
- 19 **or leased by the unit.**
- 20 SECTION 6. IC 15-11-11-6.5 IS ADDED TO THE
- 21 INDIANA CODE AS A **NEW** SECTION TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 6.5. As used in**

1 **this chapter, "unit" means a city, town, county, or**
 2 **township.**

3 SECTION 7. IC 15-11-11-7, AS ADDED BY SEA
 4 190-2008, SECTION 2, IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) **Subject**
 6 **to subsection (c)**, the department may award a grant under this
 7 chapter to a person **or unit** that:

8 (1) makes a qualified investment; and
 9 (2) places the qualified investment in service;
 10 in Indiana for the dispensing of E85 base fuel into the fuel tanks
 11 of motor vehicles.

12 (b) A recipient of a grant awarded under this chapter must
 13 comply with any guidelines developed by the ~~department's~~
 14 **department and the** office of energy and defense development.

15 **(c) The department may not award more than one (1)**
 16 **grant under this chapter for a location.**

17 SECTION 8. IC 15-11-11-8, AS ADDED BY SEA
 18 190-2008, SECTION 2, IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) Subject
 20 to subsection (b), the ~~department's~~ **department and the** office
 21 of energy and defense development shall determine the amount
 22 of each grant awarded under this chapter.

23 (b) The amount of a grant awarded under this chapter **for a**
 24 **location** may not exceed the lesser of the following:

25 (1) The amount of the ~~person's~~ **grant recipient's** qualified
 26 investment **for the location.**

27 (2) **Five Twenty** thousand dollars ~~(\$5,000)~~ **(\$20,000).** for
 28 all qualified investments made by the person at a single
 29 location.

30 **(c) The amount of a grant awarded under this chapter**

1 **for a location may be less than the amount of the grant**
2 **recipient's qualified investment for the location.".**

3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 360 as reprinted February 19, 2008.)

Senator LONG, Chairperson

Senator R YOUNG, R.M.M.

Senator HERSHMAN